

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

Crl.Rev.Pet.No. 1168 of 2004(A)

CRA.346/2003 of SESSIONS COURT, MANJERI
CC.252/2001 of JUDL. MAGISTRATE OF FIRST CLASS COURT, NILAMBUR
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REVN. PETITIONER: APPELLANT/ACCUSED:

K.PREMALEELA, AGED 40 YEARS,
D/O. KUNHIVELU, KURUNTHALA HOUSE, MANIMOOLI P.O.,
VAZHIKKADAVU (VAZHIKKADAVU POLICE STATION LIMIT).

BY ADV. SRI.K.ANAND

RESPONDENTS: RESPONDENTS/DEFACTO-COMPLAINANT & COMPLAINANT:

1. A.G.SKARIA, S/O. KOSHI,
AGED ABOUT 45 YEARS, EYOKUZHA HOUSE,
POOKKOTTUMPADAM (NILAMBUR POLICE STATION LIMIT).

2. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.K.M.SATHYANATHA MENON
PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD
ON 07/09/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

Crl.R.P. No.1168 of 2004

Dated: 07-09-2007

ORDER

The accused in C.C. 252 of 2001 on the file of the J.F.C.M. Nilambur for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 9424 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

**V. RAMKUMAR,
(JUDGE)**

ani.

